

Message Text

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16

ACTION IO-10

INFO OCT-01 EUR-12 ISO-00 FEA-01 ACDA-05 CIAE-00 INR-07

L-03 NSAE-00 NSC-05 EB-07 NRC-05 OES-03 /059 W

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P 110851Z JUL 75

FM USMISSION IAEA VIENNA

TO SECSTATE WASHDC PRIORITY 6097

INFO USERDA GERMANTOWN PRIORITY

AMEMBASSY LONDON

C O N F I D E N T I A L IAEA VIENNA 5940

DEPT PASS NRC

E.O. 11652: GDS

TAGS: PARM, TECH, IAEA, UK

SUBJECT: UK VOLUNTARY SAFEGUARDS AGREEMENT WITH IAEA

REF: A. IAEA VIENNA 3849; B. IAEA VIENNA A-282, JUNE 7,
1974; C. STATE 98323

1. DURING JUNE IAEA BOARD GOVS MEETING, MISSION
OFFERED UK RES REP JACKSON TO EXCHANGE MAY 2 DRAFT
U.S. AGREEMENT DESCRIBED REFTEL A FOR CURRENT DRAFT
UK AGREEMENT, WHICH WE UNDERSTOOD HAD BEEN DEVELOPED
IN EARLY MAY. JACKSON SOUGHT AUTHORIZATION HIS
PRINCIPALS BUT BY TIME HIS DEPARTURE FOR NEW POST IN
MID-JUNE, HAD BEEN UNABLE OBTAIN SUCH AUTHORIZATION.
IN RESPONSE MISSION INQUIRY EARLIER THIS WEEK, ACTING
UK RES REP HAD RECEIVED NO WORD FROM LONDON.

2. ACCORDINGLY, MISSION HAS OBTAINED FROM IAEA
SECRETARIAT SOURCE, WORKING OF THOSE PROVISIONS IN
CURRENT UK DRAFT AGREEMENT RELATING TO NOTIFICATION
TO AGENCY OF WITHDRAWAL OF MATERIAL, WHICH
READ AS FOLLOWS:

QUOTE BASIC UNDERTAKING

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ARTICLE 1

(A) THE UNITED KINGDOM SHALL ACCEPT THE APPLICATION OF SAFEGUARDS, IN ACCORDANCE WITH THE TERMS OF THIS AGREEMENT, ON SOURCE OR SPECIAL FISSIONABLE MATERIAL IN FACILITIES WITHIN THE UNITED KINGDOM, SUBJECT TO EXCLUSIONS FOR NATIONAL SECURITY REASONS ONLY, WITH A VIEW TO ENABLING THE AGENCY TO VERIFY THAT SUCH MATERIAL IS NOT, EXCEPT AS PROVIDED FOR IN THIS AGREEMENT, WITHDRAWN FROM CIVIL ACTIVITIES.

(B) THE UNITED KINGDOM SHALL PROVIDE THE COMMUNITY AND THE AGENCY WITH A LIST (HEREINAFTER REFERRED TO AS "THE FACILITIES LIST") OF THE FACILITIES OR PARTS THEREOF WHICH CONTAIN THE NUCLEAR MATERIAL WHICH IS REFERRED TO IN PARAGRAPH (A) OF THIS ARTICLE. THE UNITED KINGDOM SHALL KEEP THE FACILITIES LIST UP TO DATE AND MAY AT ANY TIME MAKE DELETIONS FROM IT FOR NATIONAL SECURITY REASONS. THE UNITED KINGDOM SHALL PROVIDE THE COMMUNITY AND THE AGENCY WITH ADVANCE NOTICE OF ANY ADDITIONS OR DELETIONS.

(C) WHENEVER THE UNITED KINGDOM TRANSFERS NUCLEAR MATERIAL REFERRED TO IN PARAGRAPH (A) OF THIS ARTICLE FROM ANY FACILITY OR PART OF A FACILITY ON THE FACILITIES LIST OR, FOR NATIONAL SECURITY REASONS, WITHDRAWS SUCH MATERIAL FROM THE SCOPE OF THIS AGREEMENT, IT SHALL NOTIFY THE COMMISSION AND THE AGENCY IN ACCORDANCE WITH THE PROVISIONS OF THIS AGREEMENT.

(C) THE UNITED KINGDOM SHALL INFORM THE COMMISSION AND THE AGENCY, IN ACCORDANCE WITH THE PROVISIONS OF THIS AGREEMENT, OF INTERNATIONAL TRANSFERS OF NUCLEAR MATERIAL. UNQUOTE

QUOTE EXCLUSIONS ON GROUNDS OF NATIONAL SECURITY

ARTICLE 14

IF THE UNITED KINGDOM INTENDS TO MAKE ANY WITHDRAWALS
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OF NUCLEAR MATERIAL FROM THE SCOPE OF THIS AGREEMENT FOR NATIONAL SECURITY REASONS IN ACCORDANCE WITH ARTICLE 1(C), IT SHALL INFORM THE COMMUNITY AND THE AGENCY IN ADVANCE OF SUCH WITHDRAWAL. IF ANY NUCLEAR MATERIAL BECOMES AVAILABLE FOR INCLUSION WITHIN THE SCOPE OF THIS AGREEMENT BECAUSE ITS EXCLUSION FOR NATIONAL SECURITY REASONS IS NO LONGER REQUIRED, THE UNITED KINGDOM SHALL INFORM THE COMMUNITY AND THE

AGENCY THEREOF IN ACCORDANCE WITH ARTICLE 62(C). UNQUOTE

3. FOREGOING PROVISIONS APPEAR RESULT IN SIMILAR OBLIGATION
RE "WITHDRAWALS" AS PROPOSED ARTICLE 12(A) IN MAY 2
DRAFT U.S. AGREEMENT, ASSUMING THAT, IN ACCORDANCE
PRESIDENTIAL OFFER, "DIRECT NATIONAL SECURITY
SIGNIFICANCE" WILL BE SOLE BASIS FOR EXCLUSION OF U.S.
FACILITY (AS DEFINED IN AGREEMENT) FROM LIST OF
"ELIGIBLE" FACILITIES PURSUANT ARTICLES 1(B) AND 34.
WE SUPPOSE THAT DIFFERENCES IN FORMULATION BETWEEN
PROPOSED U.S. ARTICLE 12(A) AND DRAFT UK ARTICLE
14 RESULTS FROM WAY OTHER PROVISIONS UK DRAFT
AGREEMENT TREAT DUAL-PURPOSE FACILITIES. WE NOTE
ABSENCE IN UK TEXT OF PROVISION FOR WITHDRAWALS
WITHOUT ADVANCE NOTIFICATION IN EXCEPTIONAL CIRCUMSTANCES
AS IN U.S. DRAFT.LABOWITZ

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Message Attributes

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